

COUNCIL WORK MINUTES
SEPTEMBER 17, 2014

The City Council held a work meeting on Wednesday, September 17, 2014, at 5:54 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson; Councilmembers: Ron Adams; John Black; Paul Cozzens; Don Marchant; Fred Rowley.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Chief Paul Irons; Leisure Services Director Dan Rodgeron; Economic Development Coordinator Danny Stewart.

OTHERS PRESENT: Deborah K. Snider, Charles Jett, Thomas Jett, Pat Jones, Dawn Jones, Jeff Lowe, Terry Irons, Michael Savage, Cassi Orton, Blake DeMille, Madison Day, Mandy Stout, Brittany Conner, Cindy Baldwin, Evan Whipple, Keith Rhoton, Jason Wilson, Wayne Clark, Becki Bronson, Terri Drager, Matthew Allen, Ethan Allen, Trevor Templin, Ethan Hess, Mike Green, Alan Moses

Jeff Low new Editor of Iron County Today was introduced. He is from Salt Lake City and has a law degree from the U of U.

CONSIDER A BOND AGREEMENT WITH THE FRONTAGE GROUP, LLC – PLATT & PLATT ENGINEERING /PAUL BITTMENN: Paul – they are a company that wants to develop on the south end of Main Street, they have been to Planning Commission. Part of the public improvements is sidewalk, they are not ready to put those in, and they want to coordinate with the UDOT project. The bond is approximately \$6,000. Marchant – this going to be a LaQuinta? Paul – that is what they say. Black – is there a time frame for the building? Paul – they have been to Project Review, they have a punch list of items before building permit. Consent.

CONSIDER A COOPERATIVE AGREEMENT WITH THE BLM REGARDING THUNDERBIRD GARDENS – DAVE JACOBSEN/DAN RODGERSON: Pulled.

CONSIDER APPROVAL OF A CORRECTIVE DEED TO SUNSET RIDGE VILLAGE L.C. – PAUL BITTMENN: Paul – on the south end of town there is a subdivision white stucco houses with red roofs. When it was subdivided on the south east there were two lots in phase 2, the lots are very steep. The lots were deeded to Cedar City, we did not know we were deeded those lots. Three Wishes wanted to build a pocket park for resident with disabilities, when they approached the City to build on those lots we didn't think we owned and found we did, so we deeded the property back. The deed should have gone to Sunset Ridge Village L.C. instead of the Homeowners Association, because there is not one. Black – is the purpose of the property still going to be exercised? Keith Roden, Adams Construction – there was a park, Three Wishes came in and it was done in a huge rush and built by NBC people in 48 hours, it was not done


correctly, the park exists, but there is not a playground, it was too dangerous, with big rocks falling. We put a chain link fence in. There is grass and trees still there. We will leave as it is. Boulders fall from the hill, you can't have a playground. Cozzens – this relieves us of liability? Paul – that is already done, we just need to get it to the right entity. Consent.

CONSIDER APPROVAL OF A MINING RIGHTS LEASE WITH COAL CREEK GRAVEL, LLC – PAUL BITTMENN:

Paul – This is a piece of property we went through the process to lease and Coal Creek Gravel was awarded the property. The lease is 20 years, ½ million cubic yards of material. The City will have some access to mine for our own needs; it will be setback from the frontage on Bulldog Road. If they put something on the leased property such as waste recycling, they can do that. The water and sewer line when needing to be moved they work with our Engineering Department to make sure it is done right. Black – will doing away with the sewer line be dealt with then? Kit – yes, it is a possibility, we have talked with the State. The water line is in the same location. Paul – they have to mine 10,000 yards a year and the bid was \$0.80 a yard. Rowley – they have to do daily dust control, if they don't access it if they are not working, can it be written to say during the excavating process they do dust control. Paul – you have a hard time defining the excavation and you will have dust during the 20 years if the land has been excavated. Marchant – do we require the same of the other gravel pits? Paul – we do with Schmidt, I am not sure with Western Rock. Rowley – I think it should be written to do dust control when necessary, on December 25th I don't think they will need to put water on it. Black – can you put reasonable in? Paul – yes and then we fight with them about what is reasonable. We can put what is reasonable to control the dust. Blake DeMille – we are regulated by the State by the Division of Air Quality; you are required to suppress dust. Rowley – what if we say according to the State Air Quality guidelines. Blake – the State is stricter than the City. Rick – we need to make sure the State, Blake and the City knows that reasonable is not up to John Q Public. Paul – we have had individuals make quite a stink on how we enforce private contractors. Blake – you don't want to operate a gravel pit in the dust anyway. The Air quality standards will be sufficient with the surrounding gravel pits. Paul – would you accept that change? Blake – yes. Consent with the modification.

CONSIDER A RESOLUTION IN SUPPORT OF SUCOM – DANNY STEWART & RICK HOLMAN: Pulled.

ADJOURN: Councilmember Black moved to adjourn and move into the RDA meeting at 6:08 p.m.; second by Councilmember Marchant; vote unanimous.


Renon Savage, CMC
City Recorder